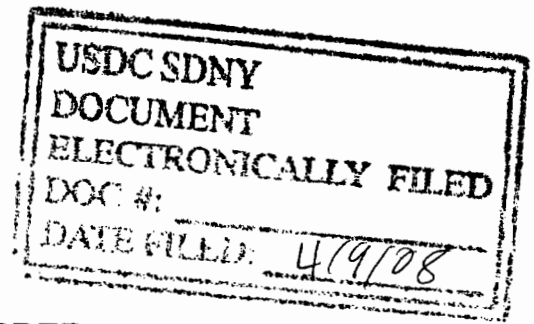


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
WHARTON CAPITAL PARTNERS
LTD, et ano,

Plaintiffs,

-against-

XSUNX, INC.,

Defendant.
-----X

ORDER

08 Civ. 56 (SHS)(FM)

XSUNX, INC.,

Plaintiff,

-against-

WHARTON CAPITAL PARTNERS
LTD, et al.,

Defendants.
-----X

08 Civ. 2150 (SHS)(FM)

FRANK MAAS, United States Magistrate Judge.

It is hereby ORDERED that the settlement conference in these matters previously scheduled for May 28, 2008, is rescheduled for May 1, 2008, at 10:00 a.m. in Courtroom 20A, 500 Pearl Street, New York, New York.

SO ORDERED.

Dated: New York, New York
April 8, 2008

FRANK MAAS
United States Magistrate Judge

Copies to:

Honorable Sidney H. Stein
United States District Judge

Jeffrey Adam Udell, Esq.
Olshan, Grundman, Frome, Rosenzweig & Wolosky, LLP
Fax: (212) 451-2222

Howard M Mille, Esq.
Rains & Pogrebin, P.C.
Fax: (516) 267-6301

Judith L Meadow, Esq.
Russ, August & Kabat
Fax: (310) 826-6991

William A Floratos, Esq.
Floratos Loll & Devine
Fax: (949) 553-0750